

Date: Fri, 22 Jan 93 04:30:20 PST  
From: Ham-Policy Mailing List and Newsgroup <ham-policy@ucsd.edu>  
Errors-To: Ham-Policy-Errors@UCSD.Edu  
Reply-To: Ham-Policy@UCSD.Edu  
Precedence: Bulk  
Subject: Ham-Policy Digest V93 #19  
To: Ham-Policy

Ham-Policy Digest                      Fri, 22 Jan 93                      Volume 93 : Issue    19

Today's Topics:

        Closed repeaters (FCC wants them open)  
        Pres. Clinton speech via Packet?  
        VITA Press Release

Send Replies or notes for publication to: <Ham-Policy@UCSD.Edu>  
Send subscription requests to: <Ham-Policy-REQUEST@UCSD.Edu>  
Problems you can't solve otherwise to brian@ucsd.edu.

Archives of past issues of the Ham-Policy Digest are available  
(by FTP only) from UCSD.Edu in directory "mailarchives/ham-policy".

We trust that readers are intelligent enough to realize that all text  
herein consists of personal comments and does not represent the official  
policies or positions of any party. Your mileage may vary. So there.  
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Date: Thu, 21 Jan 93 15:42:03 GMT  
From: saimiri.primite.wisc.edu!zaphod.mps.ohio-state.edu!swrinde!emory!rsiatl!  
jgd@ames.arpa  
Subject: Closed repeaters (FCC wants them open)  
To: ham-policy@ucsd.edu

jmaynard@oac.hsc.uth.tmc.edu (Jay Maynard) writes:

>...except that the experimental repeater co-channelled with an open repeater  
>would not be able to operate any significant amount under the rules under  
>discussion, as the open repeater could force the experimental repeater off the  
>air simply by keying up. All it would take would be for licensed radio amateur  
>operators (note, I carefully didn't say "hams") like Mr. Bly who didn't like  
>closed repeaters to keep the open box keyed up a significant part of the time  
>to keep the experimental box from being useful.

So Jay. I've watched you rant and rave and show us your anus located atop  
your neck and I've watched you assert as the Word From On High that  
some sort of sacred experimental repeater could be damaged by someone  
keying it (what's wrong with this picture). What I have not

heard is you offer a single shred of evidence to support that claim.

I am quite curious to know exactly what kind of "experimental" repeater can be damaged by mere use? I'd also like to hear the rationale for putting such a tender creature on frequency in a band that is highly populated. After all, if a mere keying can destroy your brainchild, so could skip or QRM.

Why do I get the feeling that you are fabricating the BIG LIE again in a feeble, profane attempt to defend your position? Must be the Morris influence again.

>I don't know if I can address this one; while the repeater I frequent is part  
>of an extensive linked system, I don't talk to the folks in San Francisco  
>much. I do, however, think that it serves a valuable purpose in understanding  
>how extensively linked terrestrial systems work; there are still problems  
>inherent in such a system that are poorly understood, at best. ("Where's that  
>grunge coming from?")

Poorly understood? I'm sure you'd agree that cellular phone systems or a trunked radio systems constitute extensively linked terrestrial systems that are quite well understood. Now you're trying to wrap a technical sounding BIG LIE around your closed little world. Nice try but no cigar. It is this kind of statement when made to the FCC to justify our continued existence that gives them the best laugh.

>>Then why would anyone ever sue a coordinator. You clearly point out  
>>that coordinators do NOT have any power to assign frequencies on any  
>>type of exclusive basis.

>Because they didn't like the coordinator's decision. Because they think the  
>coordinator should have given them their blessing instead of some other group  
>on THEIR frequency.

But Jay, you're just as likely to be sued by adhering to the first-come-first-served policy as you are obeying any alternative rule. Particularly with a personality like yours. Though I poopoo the general worry of coordinators being sued, in your case that is an extremely valid worry.

While I hold people such as "Roger Bly" (has anyone else picked up on that name yet?) in disdain, I'll have to say that if I heard him jamming your repeater, I'd switch channels.. and smile a little smile and whisper to myself "touche", he had it coming."

John

--

John De Armond, WD40QC | Interested in high performance mobility?  
Performance Engineering Magazine(TM) | Interested in high tech and computers?

Marietta, Ga | Send ur snail-mail address to  
jgd@dixie.com | perform@dixie.com for a free sample mag  
Need Usenet public Access in Atlanta? Write Me for info on Dixie.com.

-----  
Date: 22 Jan 93 01:41:00 GMT  
From: elroy.jpl.nasa.gov!usc!hela.iti.org!cs.widener.edu!dsinc!wells!beyonet!  
steve@ames.arpa  
Subject: Pres. Clinton speech via Packet?  
To: ham-policy@ucsd.edu

Just wondering what the legal implications are if one would resent  
Pres. Clintons enaugural speech via packet? I read the speech and  
it looks pretty harmless, more like poetry :-).

What are the latest policies on political type information if it  
remains distrubuted in the usa? I know there is a limitation of  
political qsuos with stations ``outside'' of the usa.

Just Curious, anyone else curious?

73 Steve

--  
Stephen Urich	Internet:steve@zero.com	"Cattle mutilations
NIC: SU2	UUCP:uunet!beyonet!steve	are up!" --Sneakers
ARS: WB3FTP	Packet:WB3FTP@WB3FTP.#EPA.PA.USA.NOAM	ax25<->PBBS<->IPGATE
Bensalem, PA	Radio:wb3ftp@wb3ftp.ampr.org[44.80.8.44]	TCP/IP-FTP-SMTP-UNIX

-----  
Date: 21 Jan 93 16:58:17 GMT  
From: news-mail-gateway@ucsd.edu  
Subject: VITA Press Release  
To: ham-policy@ucsd.edu

I'm responding to the Press Release that was published in Vol.93/Is. 17  
in regards to VITA.

I would like to have more information on VITA and their offerings. If Joe Sedlak ,  
who posted the Press Release would please send me something it would be much  
appreciated . . .

Phil Steffora  
VITACOM CORPORATION

PTS.

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Date: 21 Jan 1993 14:19:57 GMT  
From: usc!cs.utexas.edu!tamsun.tamu.edu!cs.tamu.edu!willis@network.UCSD.EDU  
To: ham-policy@ucsd.edu

References <1993Jan19.223419.13226@btree.uucp>, <8486@lib.tmc.edu>,  
<1993Jan21.100601.6496@ke4zv.uucp>  
Subject : Re: Closed repeaters (FCC wants them open)

In article <1993Jan21.100601.6496@ke4zv.uucp>, gary@ke4zv.uucp (Gary Coffman) writes:

...  
> had an opportunity to give it the ultimate EMP test. Anybody got a  
> spare nuke?  
>  
> Gary

Given the mood of most of the postings, Gary, I'm sure there are several people who'd be glad to have one delivered to you. 8-))))!!

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Date: 21 Jan 1993 04:47:57 GMT  
From: news!vela!cs.uiuc.edu!ux1.cso.uiuc.edu!uwm.edu!cs.utexas.edu!  
tamsun.tamu.edu!willis@network.UCSD.EDU  
To: ham-policy@ucsd.edu

References <930116.121247.9h2.rusnews.w165w@ricksys.lonestar.org>,  
<1993Jan18.081622.2459@ccsvax.sfasu.edu>,  
<1993Jan20.234912.3584@uhura.neoucom.edu>2  
Subject : Re: <further reasons to abolish CW requirements>

In article <1993Jan20.234912.3584@uhura.neoucom.edu> wtm@uhura.neoucom.edu (Bill Mayhew) writes:

>a tougher technical exam would be a resonable alternative. I don't  
>feel that the current tiered license system is elitist. It seems  
>resonable to set aside some spectrum space for more technically  
>advanced operators to carry out more experimental operation without  
>bothering people more interested in rag chew conversations.  
>

>What seems silly is that I have to be able to transmit 20 WPM CW to be  
>able to be a control operator of a space transmitting station.  
Or since only Advanced/Extras can be VE's, why higher code speed is a prerequisite there (other than to test higher code speed...).

IMHO, the complaint against CW is \*not\* that it should be done away with;

many people like it & it is a useful mode. But it's (correctly) perceived as the only real barrier to getting advanced/extra class licenses, AND THESE LICENSE CLASSES HAVE EXTRA PRIVILEGES UNRELATED TO HIGHER CODE SPEED. If you want to award additional HF bandwidth to those who work & achieve 20wpm, fine. But there should be another ladder (harder than current tests) for those whose interests lie elsewhere.

-----  
Date: 21 Jan 1993 16:07:38 GMT  
From: think.com!sdd.hp.com!cs.utexas.edu!tamsun.tamu.edu!cs.tamu.edu!  
kurt@ames.arpa  
To: ham-policy@ucsd.edu

References <1993Jan19.223419.13226@btree.uucp>, <8486@lib.tmc.edu>,  
<1993Jan21.100601.6496@ke4zv.uucp>G  
Subject : Re: Closed repeaters (FCC wants them open)

In article <1993Jan21.100601.6496@ke4zv.uucp>, gary@ke4zv.uucp (Gary Coffman) writes:

|> There's nothing short of nuclear EMP that can occur on the input of my  
|> machine that can cause equipment damage. I \*think\* it can survive that  
|> because it certainly survives direct lightning strikes, but I haven't  
|> had an opportunity to give it the ultimate EMP test. Anybody got a  
|> spare nuke?

Would that someone did, thereby limiting the noise factor significantly.....

Now, if a small group used it, would that be considered a closed nuke, or an open nuke??? After all, everybody has the right to kick off a nuke, if they can reach the button.....

Gary, did you ever consider that you tend to put things in terms of destruction? I think it's time you considered another career, or a long vacation. Your job is getting to you...

--

Kurt Freiburger, wb5bbw kurt@cs.tamu.edu 409/847-8607 fax:409/847-8578  
Dept. of Computer Science, Texas A&M University DoD #264: BMW R80/7 pilot  
"We preserve our freedom using three boxes: ballot, jury, and cartridge."  
\*\*\* Not an official document of Texas A&M University \*\*\*

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Date: 21 Jan 93 15:50:13 GMT  
From: walter!porthos!dancer!whs70@uunet.uu.net  
To: ham-policy@ucsd.edu

References <8491@lib.tmc.edu>, <1993Jan20.211059.8912@porthos.cc.bellcore.com>,

<1j19egINNk7t@tamsun.tamu.edu>lter

Subject : Re: Closed repeaters (FCC wants them open)

In article <1j19egINNk7t@tamsun.tamu.edu> willis@cs.tamu.edu (Willis Marti) writes:

>In article <1993Jan20.211059.8912@porthos.cc.bellcore.com>  
whs70@dancer.cc.bellcore.com (sohl,william h) writes:

>

>>It need not cost the coordinator anything more than his personal time  
>>and effort. There is no requirement that the coordinator hire an attorney.  
>>If it were me, I'd represent myself. What's the worst outcome, the  
>>frequency(ies) at issue get coordinated in some other manner.

>No, you might be ordered to pay damages and/or court/lawyer fees!  
Only if you were wrong. As to damages, I fail to see what financial  
damages would apply given that amateur radio is a non monetary  
service.

Elsewhere in my response to which you reply I asked for examples.  
Again I ask, (anyone) please  
provide specifics as to any prior lawsuits that involved repeater  
frequency coordinators, the outcome of the suits and the jurisdiction  
(court) which rendered the judgement.

>>As above, if the coordinator's decision is within the framework of whatever  
>>FCC regulations apply, I fail to see why a coordinator couldn't just  
>>make that argument him/herself to the judge where the case is being  
>>handled. Also, it should be obvious to any court that any case  
>>like that should not be argued in anything other than the appropriate  
>>federal court.

>

>"an attorney who represents himself has a fool for a client."  
>I've not been involved in any ham-related litigation, but have had several  
>friends and employees who tried the self representation route. BIG  
>mistake... The US legal system is designed to employ lawyers and offers  
>many pitfalls to those who naively think anything is obvious to a judge  
>or even that being obvious matters! Once someone has filed a suit against  
>you, even a \*stupid\* one (in your opinion), you have to expend time and money  
>just to make it go away. Go ahead and argue about closed/open repeaters,  
>but don't assume you can navigate the legal system without a lawyer.

The legal system can have pitfalls, BUT it is not beyond the  
comprehension and/or ability of a reasonably intelligent individual  
to represent himself. What you propose or suggest is that frequency  
coordinators, even if the FCC changes the laws, should not follow  
the new FCC regulations because the coordinator may get sued.  
Sure sounds like a case of...do it my way or I (we) will sue,  
just to make your life miserable and to threaten you financially.

This tactic of "threatening a lawsuit" to coerce people is a very despicable act these days. We see it being tried by large moneyed entities against individuals that speak out in opposition to construction projects, environmental issues, etc. They go so far as to individually sue (or threaten to sue) members of organizations, even if a member isn't involved in a particular issue.

One way in which this issue of lawsuits could be eliminated would be for the FCC to immunize frequency coordinators from such suits. That could simply be done by adding language in part 97 which states: repeater frequency coordinators are not to be liable for their actions involving assignment of repeaters, etc. That approach is becoming very common with volunteer coaches (eg. little league, soccer, etc.) as more and more states pass such legislation to protect the thousands of unpaid volunteers in sports programs from being individually sued by some parent.

Another point, while it isn't always the case, the courts and judges usually are fairly sympathetic to people who are being sued over something they do on a volunteer basis.

>Horror stories available on request, but not for the weak of stomach.

Please provide same as per my request above.

Standard Disclaimer- Any opinions, etc. are mine and NOT my employer's.

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Bill Sohl (K2UNK) BELLCORE (Bell Communications Research, Inc.)  
Morristown, NJ email via UUCP bcr!cc!whs70  
201-829-2879 Weekdays email via Internet whs70@cc.bellcore.com  
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Date: 21 Jan 1993 17:52:16 GMT  
From: dog.ee.lbl.gov!overload.lbl.gov!agate!spool.mu.edu!howland.reston.ans.net!  
zaphod.mps.ohio-state.edu!cs.utexas.edu!tamsun.tamu.edu!cs.tamu.edu!  
kurt@network.UCSD.EDU  
To: ham-policy@ucsd.edu

References <1993Jan20.211059.8912@porthos.cc.bellcore.com>,  
<1j19egINNk7t@tamsun.tamu.edu>, <1993Jan21.155013.10057@porthos.cc.bellcore.com>  
Subject : Re: Closed repeaters (FCC wants them open)

In article <1993Jan21.155013.10057@porthos.cc.bellcore.com>,  
whs70@dancer.cc.bellcore.com (sohl,william h) writes:  
> In article <1j19egINNk7t@tamsun.tamu.edu> willis@cs.tamu.edu (Willis Marti)  
writes:

|>  
|> >No, you might be ordered to pay damages and/or court/laywer fees!  
|> Only if you were wrong. As to damages, I fail to see what financial  
|> damages would apply given that amateur radio is a non monetary  
|> service.

Winning a lawsuit and being right have ABSOLUTELY nothing to do with each other!!!! As to your failure, it is obvious that you have never been involved with a lawsuit... Damages in the form of monetary "recompense" may be awarded in any situation. It depends on the shyster you hire. After all, his cut is dependant on: a) if he wins (retainer notwithstanding), and b) how much he can squeeze out of the other side.

|> One way in which this issue of lawsuts could be eliminated would be for  
|> the FCC to immunize frequency coordinators from such suits. That could  
|> simply be done by adding language in part 97 which states: repeater  
|> frequency coordinators are not to be liable for their actions  
|> involving assignemnt of repeaters, etc. That approach is becoming  
|> very common with volunteer coaches (eg. little league, soccor,  
|> etc.) as more and more states pass such legislation to protect  
|> the thousands of unpaid volunteers in sports progarms from  
|> being individually sued by some parent.

All it takes is a smarter lawyer to find a way around it. After all, I could claim "mental abuse due to the harassment of jammers".... Worse reasoning has made more money than I ever will have...

|> Another point, while it isn't always the case, the courts and judges  
|> usually are fairly sympathetic to people who are being sued over  
|> something they do on a volunteer basis.

Yeah, right....  
Ask the Lion's Eye Bank.....

--

Kurt Freiburger, wb5bbw kurt@cs.tamu.edu 409/847-8607 fax:409/847-8578  
Dept. of Computer Science, Texas A&M University DoD #264: BMW R80/7 pilot  
"We preserve our freedom using three boxes: ballot, jury, and cartridge."  
\*\*\* Not an official document of Texas A&M University \*\*\*

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Date: Thu, 21 Jan 1993 10:06:01 GMT  
From: dog.ee.lbl.gov!overload.lbl.gov!agate!spool.mu.edu!howland.reston.ans.net!  
paladin.american.edu!gatech!kd4nc!ke4zv!gary@network.UCSD.EDU  
To: ham-policy@ucsd.edu

References <3075@uswnvg.uswnvg.com>, <1993Jan19.223419.13226@btree.uucp>,



<8486@lib.tmc.edu>.ame

Reply-To : gary@ke4zv.UUCP (Gary Coffman)

Subject : Re: Closed repeaters (FCC wants them open)

In article <8486@lib.tmc.edu> jmaynard@oac.hsc.uth.tmc.edu (Jay Maynard) writes:  
>

>1) Doing this will destroy any last vestiges of experimentation in the amateur  
>service. Many experimental repeaters are closed for a good reason: the  
>uninitiated can do damage to the machine if they don't do things right. Others  
>are closed because they're linked from here to forever and having the whole  
>ham world in each city in between on them would quickly make them completely  
>unusable.

Any machine that can be damaged by a station transmitting on it's input  
is so badly designed that it \*deserves\* to be damaged. I can't believe  
that you keep throwing out this chestnut. Limit switches, circuit breakers,  
overload trips, interlocks, thermal switches, surge protectors, EMP rated  
gas discharge systems, they've all been available to equipment designers  
for decades. Failure to use proper protective equipment should be cause  
for getting your machine kicked off a commercial site as a hazard.

There's nothing short of nuclear EMP that can occur on the input of my  
machine that can cause equipment damage. I \*think\* it can survive that  
because it certainly survives direct lightning strikes, but I haven't  
had an opportunity to give it the ultimate EMP test. Anybody got a  
spare nuke?

Gary

--

Gary Coffman KE4ZV		You make it,		gatech!wa4mei!ke4zv!gary
Destructive Testing Systems		we break it.		uunet!rsiatl!ke4zv!gary
534 Shannon Way		Guaranteed!		emory!kd4nc!ke4zv!gary
Lawrenceville, GA 30244				

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End of Ham-Policy Digest V93 #19

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